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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/815,481	
	Filing Date	March 31, 2004	
	First Named Inventor	Rajesh A. PATEL	
	Art Unit	1615	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	8 pages + 10 references	Attorney Docket Number	304142000900

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none">• Form PTO 1449 (original + 1 copy (4 pages total))• 10 References• Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature	<i>Jill A. Jacobson</i>		
Printed name	Jill A. Jacobson		
Date	December 14, 2004	Reg. No.	40,030

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV537016475US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 14, 2004

Signature: *Georgina Matos* (Georgina Matos)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV537016475US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 14, 2004

Signature:

Georgina Matos

PATENT
Docket No. 304142000900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Rajesh A. PATEL et al.

Serial No.: 10/815,481

Filing Date: March 31, 2004

For: IMPLANTABLE POLYMERIC DEVICE
FOR SUSTAINED RELEASE OF
DOPAMINE AGONIST

Examiner: Not Yet Assigned

Group Art Unit: 1615

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

The documents no. 14, 15, and 42 listed on the attached Form PTO-1449 were cited in an International Search Report mailed on September 13, 2004 directed to a counterpart international or foreign application. A certification under 37 C.F.R. § 1.97(e)(1) follows:

Application Serial No. 10/815,481

I hereby certify that each item of information was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

Application Serial No. 10/815,481

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 304142000900. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 14, 2004

Respectfully submitted,

By Jill A. Jacobson
Jill A. Jacobson
Registration No.: 40,030
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304
(650) 813-5876

Form PTO-1449

Docket Number 304142000900

Application Number 10/815,481

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

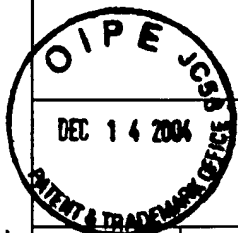
Applicant

Rajesh A. PATEL et al.

Filing Date March 31, 2004

Group Art Unit 1615

Mailing Date December 14, 2004



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/20/1973	3,717,639	Neumeyer			
	2.	09/24/1985	4,543,256	Neumeyer			
	3.	11/11/1986	4,622,219	Haynes			
	4.	07/07/1987	4,678,809	Phillips			
	5.	02/16/1988	4,725,442	Haynes			
	6.	04/04/1989	4,818,542	DeLuca et al.			
	7.	08/29/1989	4,861,627	Mathiowitz et al.			
	8.	11/28/1989	4,883,666	Sabel et al.			
	9.	01/30/1990	4,897,268	Tice et al.			
	10.	10/09/1990	4,962,091	Eppstein et al.			
	11.	01/08/1991	4,983,586	Bodor			
	12.	02/19/1991	4,994,281	Muranishi et al.			
	13.	06/18/1991	5,024,998	Bodor			
	14.	05/19/1992	5,114,719	Sabel et al.			
	15.	10/20/1992	5,156,844	Aebisher et al.			
	16.	10/08/1996	5,562,917	Durif et al.			
	17.	02/11/1997	5,601,835	Sabel et al.			
	18.	07/22/1997	5,650,173	Ramstack et al.			
	19.	08/05/1997	5,654,008	Herbert et al.			
	20.	02/17/1998	5,718,921	Mathiowitz et al.			
	21.	05/26/1998	5,756,483	Merkus			
	22.	06/23/1998	5,770,231	Mesens et al.			
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	24.	08/17/1999	5,939,094	Durif et al.			
	25.	10/12/1999	5,965,168	Mesens et al.			
	26.	11/09/1999	5,980,948	Goedemoed et al.			
	27.	11/30/1999	5,994,363	El-Rashidy et al.			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 304142000900	Application Number 10/815,481
	Applicant Rajesh A. PATEL et al.	
	Filing Date March 31, 2004	Group Art Unit 1615
	Mailing Date December 14, 2004	

	28.	12/14/1999	6,001,845	Estok			
	29.	01/04/2000	6,011,043	Estok			
	30.	09/12/2000	6,117,454	Kreuter et al.			
	31.	10/24/2000	6,136,818	Estok			
	32.	03/20/2001	6,203,813	Gooberman			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO	
	33.	09/04/1985	EP 0 153 896	Europe			Abstract	
	34.	06/24/1987	EP 0 226 061	Europe				
	35.	06/29/1989	WO 89/05632	WIPO				
	36.	01/11/1996	WO 96/00537	WIPO				
	37.	12/07/2000	WO 00/72827	WIPO				

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	38.	Anonymous. "NSAIDs Traditional NSAIDs," located at < http://www.arthritis.org/conditions/DrugGuide/Chart_nsaid.asp >, last visited on March 27, 2003, 4 pages.
	39.	Anonymous. "India Infoline Sector Reports Pharmaceuticals: Anti-Histamine," located at < http://www.indiceinfoline.com/sect/phfo/ch21.html >, last visited March 27, 2003, 2 pages.
	40.	Bibbiani, F. et al. "Continuous Apomorphine Administration with Novel EVA Implants Reduces the Risks of Motor Complications Compared to Pulsatile Apomorphine in L-DOPA-Naïve, MPTP-Lesioned Primates," Abstract Preview: AAN3L_1225 located at http://www.abstracts-on-line.com last visited on February 6, 2003, 1 page.
	41.	International Search Report mailed on September 13, 2004 for PCT patent application no. PCT/US2004/010270 filed March 31, 2004, 5 pages.
	42.	Sabel, B. A. (1990). "Extended Levodopa Release from Subcutaneously Implanted Polymer Matrix in Rats," <i>Annals of Neurology</i> 28(5):714-717.

EXAMINER:	DATE CONSIDERED:
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.